

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

GLORIA GARCIA, et al.
Plaintiffs

v.

FRITO LAY SNACKS CARIBBEAN, et al.
Defendants

Civil No. 97-1313(SEC)

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U.S. DISTRICT COURT
SAN JUAN P.R.

ORDER

MOTION	RULING
<p>Docket #157 Motion for Reconsideration...</p>	<p>DENIED. Particularly in light of the U.S. Supreme Court's recent ruling in <u>Toyota Motor Manufacturing, Inc. v. Williams</u>, 2002 WL 15402, where the Court narrowed the concept of what constitutes a disability under the ADA, the Court will decline Plaintiffs' invitation to reconsider its dismissal of the remaining ADA claims. Furthermore, Plaintiffs' new ADA theory based on an impairment of the major life activity of reproduction is untimely and will not be considered by the Court at this late stage of the proceedings. The Court will not consider Plaintiffs' arguments regarding their claims of discrimination based on national origin, either, since no such cause of action remained viable in this case before this Court issued the Opinion and Order that Plaintiffs now ask us to reconsider. Lastly, Plaintiffs are correct in stating that the exercise of this Court's supplemental jurisdiction with respect to their state law claims lies within our discretion. It is precisely in the exercise of such discretion that the supplemental claims were dismissed without prejudice. The Court will stand by its decision to not exercise its supplemental jurisdiction.</p>

DATE: June 25, 2002


 SALVADOR E. CASELLAS
 United States District Judge

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